

**IN THE UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF SOUTH CAROLINA**

Case No. 09-538-CMC-JJG

CLAY MASSI,
Plaintiff, Pro Se

V.

Drug Enforcement Administration,
Defendant

Ref: FOI Request 08-1022-F

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COMPLAINT

1. The Court has jurisdiction over this action pursuant to 28 U.S.C. 1346.
2. This is an action under the Freedom of Information Act (FOIA), 5 U.S.C. 552(a)(4)(B) to order the release of the DEA ARCOS Transaction records previously requested by the Plaintiff.
3. After refusal of the documents by the DEA-FOI department Plaintiff filed an appeal with the DOJ, which determined that the exemptions used were not applicable and suggested that the DEA-FOI release the DEA Transaction records. FOI Request 08-1022-F.
4. After the DOJ decision was made Katherine Myrick (DEA-FOI Chief) told Plaintiff that Walgreens had been given a 10 day notice of the release of the transactions.
5. After 4 weeks passed Katherine Myrick said "the 10 day limit does not apply to your case and I am waiting for Walgreens' response even if it takes them months."

6. Plaintiff has two cases on appeal with the US Court of Appeals Sixth Circuit, Case #08-5630 and Case #08-6292.
7. Case #08-5630 will be submitted to the Circuit Court for decision on April 21, 2009.

JUDGEMENT

Plaintiff respectfully pleads that the Court order the DEA-FOI to release the DEA ARCOS Transactions. The Plaintiff apologizes to the Court for requesting a fast response but time is running short.

Respectfully submitted

Clay Massi

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